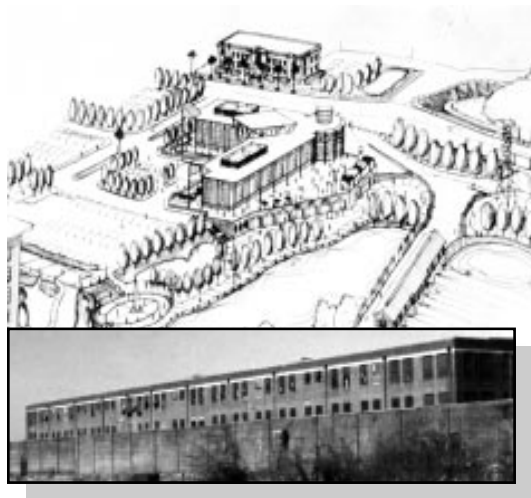


WHAT IS THE PURPOSE OF THE VOLUNTARY CLEANUP PROGRAM (VCP)?

The purpose of the VCP is to:

- Protect human health and the environment;
- Return to use idled or underused industrial facilities where redevelopment has been hindered by either real or perceived environmental contamination (other than petroleum);
- Provide an incentive to have a site cleaned up by giving Responsible Parties (RPs) a covenant not to sue for work performed;
- Provide an incentive for Non-Responsible Parties (NRPs) wanting to purchase Brownfields sites; the S.C. Department of Health and Environmental Control (SCDHEC) will give state Comprehensive Environmental Response Compensation and Liability Act (CERCLA) liability protection unless there is a release caused by the negligence of the NRP's;
- Provide reimbursement to SCDHEC for oversight costs.



WHAT SITES ARE ELIGIBLE?

The following types of site are eligible:

- Any abandoned site that an individual, company, municipality, county, etc., is interested in purchasing, investigating and cleaning up.
- Any site known or thought to have hazardous substances (excluding petroleum) is eligible for participation in the VCP unless the site is listed or proposed for listing on the U.S. Environmental Protection Agency's (USEPA) National Priorities List (NPL).
- A party already under a SCDHEC order or permit for assessment and/or remediation is *not* eligible to participate.

WHAT STEPS ARE TAKEN TO ENTER INTO THE VCP?

1. After notifying SCDHEC of a site, SCDHEC and the parties will work together to agree on an assessment and cleanup appropriate for the site.
2. The parties will enter into the VCP by signing a Voluntary Cleanup Contract (VCC). Consent Agreements are also used to administer a Voluntary Cleanup for RPs, when appropriate.
3. After signing a VCC, the RP or NRP will prepare and submit the appropriate work plans and reports to SCDHEC; then, upon approval, the work plan is implemented.

Left: The City of Columbia has received a Brownfields Pilot to perform an assessment on a former prison site. Also, plans are underway to redevelop an area for a new children's museum.

WHAT IF I'M THE RP?

- A VCC executed on behalf of a RP will inure to its signatories, parents, successors and subsidiaries.
- The RP will receive SCDHEC's covenant not to sue for work performed satisfactorily.

WHAT IF I'M THE NRP?

- Prior to entering into a VCC, the NRP must submit to SCDHEC its proposed scope of work along with a form certifying that it is not an RP at the site, it will not contribute to existing contamination on the site, it is financially viable, the proposed future land use and that SCDHEC will have irrevocable right of access to the site.
- A VCC executed on behalf of a NRP must provide a measurable benefit to the State, community or SCDHEC.
- The NRP will receive state CERCLA liability protection from SCDHEC for existing contamination at the site, as well as contribution protection.

ONCE THE CLEANUP HAS TAKEN PLACE...

- If SCDHEC decides that a party has successfully and completely complied with the VCC, SCDHEC shall certify that the action has been completed by issuing the party a Certificate of Completion.
- The Certificate of Completion shall acknowledge the covenant not to sue (RP) or liability protection (NRP), the proposed future land use and any restrictive covenant on land use.

WILL THE PUBLIC HAVE AN OPPORTUNITY TO PARTICIPATE?

- The public will have an opportunity to comment on NRP contracts.
- Notification of the NRP's proposed VCC will be placed in a local newspaper for a 30-day comment period and a public meeting may be held, upon request.
- The NRP must post a sign, in clear view from the main entrance to the site, stating the name, address, and telephone number of a contact person for information describing the site's response action and reuse.
- Public participation of a RP's VCC or Consent Agreement may follow the National Contingency Plan.

HOW DOES THE VCP BENEFIT THE STATE?

Having private parties come forward to investigate and clean up a site provides a cost savings to the state, allows abandoned sites to be more quickly returned to the tax base and enhances the environment.



WHAT IS THE BROWNFIELDS INITIATIVE?

To attract individuals, companies, and municipalities to clean up a contaminated site, or one with perceived contamination, the USEPA developed the Brownfields Initiative. One part of the Brownfields Initiative was to offer grants, up to \$200,000, to local governments. This grant money is given to perform assessments at sites which would otherwise not receive attention due to lack of funding from the parties. Four sites within South Carolina have been awarded a National Brownfields Pilot. They are the Town of Cowpens, the City of Charleston, the City of Columbia, and the City of Anderson. In addition, two of the pilots, the Town of Cowpens and the City of Columbia, have been awarded Brownfields Revolving Loan Cleanup Funds.

WHO TO CALL FOR ADDITIONAL INFORMATION?

For more information contact:

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Front cover: The former Cooper Power and Tool Company participated in the VCP to cleanup their facility's contamination or perceived contamination.

Left (inside flap): The former Cooper Power and Tool Company location was redeveloped as a grocery store/shopping center.



VOLUNTARY CLEANUP PROGRAM

*Making a Difference
in the Environment, Economy,
and Social Attitude*



South Carolina Department of Health
and Environmental Control